

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EDWARD ROBERT LICHWICK, JR.,

Plaintiff,

- against -

VERIZON,

Defendant.

**Civil Action No.: 08-CIV-3892
(SCR)**

ECF CASE

**DECLARATION OF VICKI R. WALCOTT-EDIM
IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS**

I, Vicki R. Walcott-Edim, declare under penalty of perjury under the laws of the United States, pursuant to 28 U.S.C. § 1746, the foregoing to be true and correct:

1. I am associated with the law firm of Jones Day, attorneys for Defendant Verizon Pennsylvania, Inc. (“Verizon PA” or “Defendant”) in the above-captioned action, and am one of the attorneys responsible for the defense of Verizon PA in this action.

1. Attached hereto as Exhibit 1 is a copy of the charge that Defendant received, on or about April 2, 2008, from the Equal Employment Opportunity Commission (“EEOC”) concerning Edward Robert Lichwick. The charge bears EEOC # 520-2008-01665 and an EEOC stamp indicating that the EEOC received the charge on January 30, 2008.

Dated: July 7, 2008

/s/ Vicki R. Walcott-Edim
Vicki R. Walcott-Edim

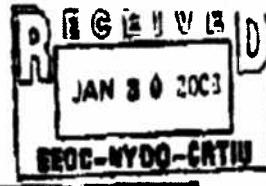
CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2008, the foregoing document was filed with the Clerk of the Court and served via overnight delivery in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties:

Michael H. Sussman, Esq.
SUSSMAN & WATKINS
40 Park Place
Goshen, NY 10924
(845) 294-3991

Attorney for Plaintiff

/s/ Vicki Walcott-Edim
Vicki R. Walcott-Edim (VW-1223)
JONES DAY
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New York, NY 10017-6702
vwalcottedim@jonesday.com
(212) 326-3939



UNITED STATES OF AMERICA
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
EDWARD ROBERT LICHWICK, JR.

COMPLAINANT.

vs.

VERIZON,

RESPONDENT.

VERIFIED COMPLAINT

EEOC # 520-2008-01665

EDWARD ROBERT LICHWICK, JR., by and through his counsel, hereby complains
of RESPONDENT as follows:

1. I reside at 114 Hudeon Street, Port Jervis, New York 12771. My former employer Verizon, conducts business from Twin Rocks, Lake Ariel, Pa. 18436 and well as numerous locations in the State of New York. My employer's phone number 570-296-8851.
2. My date of birth is 7/6/49. I am currently 58 years of age. My social security number is 061-44-0451.
3. I started working for Verizon on February 22, 1972 as a lineman. I became a service technician in 1984 and continued to work in that capacity until June 8, 2007. My last supervisor did not provide me any performance review, but, in 2005, I received an excellent review from Mr. Chuck Williams, my second line supervisor, who cited me for number of jobs completed and the few number of customer complaints received.
4. On June 8, 2007, I was forced to retire from my employment after being threatened with termination by various company supervisors.
5. As its reason for forcing my retirement, management accused me of corrupt practices.

specifically taking a "tip" from a customer. This allegation was false in that I accepted an envelope which I believed represented a credit due me from a local gas station. This envelope had been planted by my managers as a means of determining my integrity. I had absolutely no knowledge that the envelope handed me by the gas station employee represented any form of tip or gratuity from any customer.

6. After I "retired," I sought unemployment insurance benefits, which the company resisted.

7. After an evidentiary hearing, the Commonwealth of Pennsylvania's Department of Labor and Industry ruled that I did not engage in willful misconduct disqualifying me from receipt of such benefits.

8. I hereby charge that I was discharged from my employment because of my age for the following reasons:

- a) during the last several years, at least three other individuals in the protected class and working out of the same office as I did concluded that younger employees were receiving preferential treatment in the areas of training, vehicle and work assignments;
- b) the manager who terminated me was much younger, outside of the protected class;
- c) the reason for my termination was false and no one, in good faith, could have believed that by accepting this envelope at a gas station I had frequented for at least twenty years, I was engaging in corrupt practices;
- d) another issue advanced by the company, i.e., my assisting individuals off the clock, depended upon the company's enforcement of rules which, if they existed, were not generally enforced.

9. In short, I believe that if I were a younger worker, I would not have been subjected to the pressure to retire I experienced in this instance and would not have retired.

10. I demand full and whole relief from my former employer.

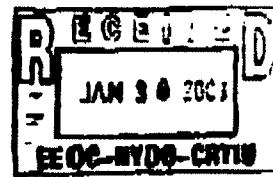
11. I designate Michael H. Susman, Esq., 40 Park Place, PO Box 1005, Goshen, New York 10524 (845) 294-3991 as my attorney and representative for these proceedings.

Edward Robert Lichwick Jr.
EDWARD ROBERT LICHWICK, JR.

SIGNED AND SWORN TO BEFORE ME THIS 26TH DAY OF JANUARY 2008.

Christopher D. Wattone
NOTARY PUBLIC

CHRISTOPHER D. WATTONE
Notary Public, State of New York
No. OFNAN124471
Qualified in Ulster County
Commission Expires March 26, 2009



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** TOTAL PAGE.08 **